

**NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS**

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.
---

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

In re E.R., a Person Coming Under  
the Juvenile Court Law.

B293845

(Los Angeles County  
Super. Ct. No. FJ54674)

THE PEOPLE,

Plaintiff and Respondent,

v.

E.R.,

Defendant and Appellant.

Appellant E.R. (minor) appeals from a judgment declaring him to be a ward of the juvenile court. His appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), raising no issues. On February 14, 2019, we notified minor of his counsel's brief and gave him leave to file, within 30 days, his own brief or letter stating any grounds or argument he might wish to have considered. That time has elapsed, and

minor has submitted no brief or letter. We have reviewed the entire record, and finding no arguable issues, affirm the judgment.

A petition filed pursuant to Welfare and Institutions Code section 602 alleged that minor had committed three felonies and one misdemeanor,<sup>1</sup> as follows: count 1, fleeing a pursuing peace officer's motor vehicle while driving recklessly (Veh. Code, § 2800.2); count 2, fleeing a pursuing peace officer's motor vehicle and driving against traffic (Veh. Code, § 2800.4); count 3, driving or taking a vehicle without consent (Veh. Code, § 10851, subd. (a)); count 4, misdemeanor hit and run resulting in property damage (Veh. Code, § 20002, subd. (a)); and count 5, misdemeanor driving when privilege suspended or revoked (Veh. Code, § 14601.1, subd. (a)).

After a contested adjudication, the juvenile court sustained the petition, found counts 1 through 4 to be true, and dismissed count 5. The trial court declared counts 1 through 3 to be felonies and count 4 to be a misdemeanor. On November 5, 2018, the court removed minor from the custody of his guardian and ordered him into a camp-community program for a term of five to seven months, with an aggregated five-year maximum term of physical confinement. The court ordered minor to complete 100 hours of community service while in camp and to pay a victim restitution fine of \$50. Minor's predisposition custody credit was calculated to be 69 days. Minor filed a timely notice of appeal from the judgment.

The evidence showed that while driving a stolen car, minor recklessly evaded pursuit by Los Angeles police officers in

---

<sup>1</sup> Two section 602 petitions were also sustained in 2017. With regard to the first, the juvenile court ordered minor home on probation, and as to the second, the court ordered minor to be suitably placed in an open facility.

uniforms and in a marked black-and-white patrol car. Minor eventually collided with a parked car, and he and two other occupants of the car fled on foot. The officers observed that the person who emerged from the driver's seat was wearing a black T-shirt. An unidentified male emerged from the front passenger side of the car wearing a dark blue shirt; and a female passenger, later identified as minor's sister, emerged from the back seat. After other officers detained minor five to 10 minutes later, the pursuing officers both identified minor as the person who emerged from the driver's seat of the stolen car and then fled on foot. Officers had recovered a black shoe on the sidewalk. When he was detained minor was wearing one black shoe.

Minor was interviewed by police officers after waiving his *Miranda*<sup>2</sup> rights. Minor denied being the driver, but refused to identify the driver. When pressed, minor told the officers about 10 times to look at the video. Video recorded by the dash camera of the patrol car and the officers' body cameras was played for the court. They showed the driver exiting the stolen car. Although difficult to make out, what might appear to be a white shoe is seen where the driver's foot was. However, the image was hardly more than a white blob that did not move or disappear from its position on the car when the driver ran away. Both officers were certain of their identification of minor as the driver, and both identified minor in court as the driver.

We have examined the entire record and are satisfied that minor's appellate counsel has fully complied with his responsibilities, and that no arguable issue exists. We conclude that minor has, by virtue of counsel's compliance with the *Wende* procedure and our review of the record, received adequate and effective appellate review of the judgment entered against him in

---

<sup>2</sup> See *Miranda v. Arizona* (1966) 384 U.S. 436, 444-445.

this case. (See *Smith v. Robbins* (2000) 528 U.S. 259, 278; *People v. Kelly* (2006) 40 Cal.4th 106, 123-124.)

The judgment is affirmed.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS.

---

LUI, P.J.

ASHMANN-GERST, J.

CHAVEZ, J.